



CRL OP(MD). No.3332 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD).No.3332 of 2026

Kusala Kumar @ Gowdhamakumar

..Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
District Crime Branch Police Station,
(DCB) Nagercoil,
Kanyakumari District.
(Crime No.03 of 2005)

.. Respondent/Complainant

For Petitioner : Mr.V.M.Jegadeesha Pandian

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in C.C.No.325 of 2025 on the file of the Judicial
Magistrate Court -I, Nagercoil.



CRL OP(MD). No.3332 of 2026

ORDER : This Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 03.01.2026 for the offences punishable under Sections 406, 420 r/w 34 of IPC, in C.C.No.325 of 2025 on the file of the Judicial Magistrate Court -I, Nagercoil, seeks bail.

2. The learned counsel for the petitioner submitted that after the registration of the case in Crime No.03 of 2005 and the respondent police have completed the investigation and filed a charge sheet in C.C.No.325 of 2025 before the Judicial Magistrate Court -I, Nagercoil. He further submitted that due to non-appearance of the petitioner, the trial Court has issued NBW against the petitioner and the same was executed on 03.01.2026. He further submitted that other accused persons have been acquitted by the trial Court . He further submitted that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He further submitted that the petitioner is in judicial custody from 03.01.2026. Hence, he seeks bail.



CRL OP(MD). No.3332 of 2026

3. The learned Additional Public Prosecutor submitted that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant to the petitioner. He further submitted that there is one previous case pending against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

4. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this court is inclined to grant bail to the petitioner, subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court-I, Nagercoil, Kanyakumari District, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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CRL OP(MD). No.3332 of 2026

(b) the petitioner shall appear before the Sub Inspector of Police, EOW, Madurai, daily at 10.30 a.m., until further orders except the court hearing dates ie., Learned Judicial Magistrate Court-I, Nagercoil, Kanyakumari District.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(S S Y J)
18.02.2026

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CRL OP(MD). No.3332 of 2026

To

1. The Judicial Magistrate Court-I,
Nagercoil, Kanyakumari District.
2. The Superintended, District Jail,
Nagercoil, Kanyakumari District.
3. The Inspector of Police,
District Crime Branch Police Station,
(DCB) Nagercoil,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.3332 of 2026

S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.3332 of 2026

Dated : 18.02.2026